

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

AMYRIS, INC., *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 23-11131 (TMH)

(Jointly Administered)

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR  
HEARING ON OCTOBER 18, 2023 AT 2:00 P.M. (EASTERN TIME<sup>2</sup>)**

**This hearing will be conducted in-person before the Honorable Thomas M. Horan, in the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 5th Floor, Courtroom #4. All parties, including witnesses, are expected to attend in person unless permitted to appear via Zoom. Participation at the in-person court proceeding using Zoom is allowed only in the following circumstances: (i) a party who files a responsive pleading intends to make only a limited argument; (ii) a party who has not submitted a pleading but is interested in observing the hearing; or (iii) other extenuating circumstances as determined by Judge Horan.**

**All participants over Zoom must register in advance. Please register by October 17, 2023, at 4:00 p.m. (EST). at the link below.**

<https://debuscourts.zoomgov.com/meeting/register/vJltce2pqzgjGJDV9hT6Gi4MDRHc8o2rfYI> <https://protect-us.mimecast.com/s/nIB1CM89x8f68j8oTwpOGn>

**MATTERS RESOLVED BY CNO/COC**

1. Debtors' Motion for Entry of an Order (I) Setting Bar Dates for Filing Proofs of Claim, Including Requests for Payment Under Section 503(B)(9), (II) Setting a Bar Date for the Filing of Proofs of Claim by Governmental Units, (III) Establishing Amended Schedules Bar Date and Rejection Damages Bar Date, (IV) Approving the Form of and Manner for Filing Proofs of Claim, (V) Approving Notice of Bar Dates, and (VI) Granting Related Relief [Filed September 27, 2023] (Docket No. [386](#)).

**Response Deadline:** October 11, 2023.

**Responses Received:** None.

<sup>1</sup> A complete list of each of the Debtors in these Chapter 11 Cases may be obtained on the website of the Debtors' claims and noticing agent at <https://cases.stretto.com/Amyris>. The location of Debtor Amyris Inc.'s principal place of business and the Debtors' service address in these Chapter 11 Cases is 5885 Hollis Street, Suite 100, Emeryville, CA 94608.

<sup>2</sup> All motions and other pleadings referenced herein are available online at the following web address: <https://cases.stretto.com/Amyris>.

**Related Documents:**

- a. Certificate of No Objection Regarding Debtors' Motion for Entry of an Order (I) Setting Bar Dates for Filing Proofs of Claim, Including Requests for Payment Under Section 503(B)(9), (II) Setting a Bar Date for the Filing of Proofs of Claim by Governmental Units, (III) Establishing Amended Schedules Bar Date and Rejection Damages Bar Date, (IV) Approving the Form of and Manner for Filing Proofs of Claim, (V) Approving Notice of Bar Dates, and (VI) Granting Related Relief [Filed October 12, 2023] (Docket No. [519](#)).
- b. [SIGNED] Order (I) Setting Bar Dates for Filing Proofs of Claim, Including Requests for Payment Under Section 503(B)(9), (II) Setting a Bar Date for the Filing of Proofs of Claim by Governmental Units, (III) Establishing Amended Schedules Bar Date and Rejection Damages Bar Date, (IV) Approving the Form of and Manner for Filing Proofs of Claim, (V) Approving Notice of Bar Dates, and (VI) Granting Related Relief [Filed October 13, 2023] (Docket No. [528](#)).

**Status:** The matter is resolved.

2. Motion for an Order (A) Approving Procedures Related to the Assumption, Assumption and Assignment, or Transfer of Executory Contracts and Unexpired Leases; and (B) Granting Related Relief [Filed September 18, 2023] (Docket No. [317](#)).

**Response Deadline:** October 11, 2023.

**Responses Received:** None.

**Related Documents:**

- a. Certification of Counsel Regarding Debtors' Motion for an Order (A) Approving Procedures Related to the Assumption, Assumption and Assignment, or Transfer of Executory Contracts and Unexpired Leases; and (B) Granting Related Relief [Filed October 12, 2023] (Docket No. [521](#)).
- b. [SIGNED] Order (A) Approving Procedures Related to the Assumption, Assumption and Assignment, or Transfer of Executory Contracts and Unexpired Leases; and (B) Granting Related Relief [Filed October 13, 2023] (Docket No. [526](#)).

**Status:** The matter is resolved.

3. Third Omnibus Motion for the Entry of an Order (A) Authorizing Rejection of Executory Contracts Effective as of the Applicable Rejection Date; and (B) Granting Related Relief [Filed September 27, 2023] (Docket No. [394](#)).

**Response Deadline:** October 11, 2023.

**Responses Received:** None.

**Related Documents:**

- a. Certification of Counsel Regarding Third Omnibus Motion for the Entry of an Order (A) Authorizing Rejection of Executory Contracts Effective as of the Applicable Rejection Date; and (B) Granting Related Relief [Filed October 12, 2023] (Docket No. [520](#)).
- b. [SIGNED] Order (A) Authorizing Rejection of Executory Contracts Effective as of the Applicable Rejection Date; and (B) Granting Related Relief [Filed October 13, 2023] (Docket No. [527](#)).

**Status:** The matter is resolved.

- 4. Motion for (I) an Order (A) Approving Bid Procedures for the Sale of the Debtors' Brand Assets; (B) Approving Certain Bid Protections in Connection with the Debtors' Entry into any Potential Stalking Horse Agreements; (C) Scheduling the Auction and Sale Hearing; (D) Approving the Form and Manner of Notice Thereof; and (E) Granting Related Relief; and (II) an Order or Orders (A) Approving the Sale of the Debtors' Brand Assets Free and Clear of all Encumbrances; and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases [Filed September 18, 2023] (Docket No. [316](#)).

**Response Deadline:** October 11, 2023.

**Responses Received:**

- a. Statement and Reservation of Rights of the Official Committee of Unsecured Creditors to the Debtors' Motion for (I) an Order (A) Approving Bid Procedures for the Sale of the Debtors' Brand Assets; (B) Approving Certain Bid Protections in Connection with the Debtors' Entry into any Potential Stalking Horse Agreements; (C) Scheduling the Auction and Sale Hearing; (D) Approving the Form and Manner of Notice Thereof; and (E) Granting Related Relief; and (II) an Order or Orders (A) Approving the Sale of the Debtors' Brand Assets Free and Clear of all Encumbrances; and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases [Filed October 12, 2023] (Docket No. [516](#)).

**Related Documents:**

- a. Certificate of Service [Filed September 27, 2023] (Docket No. [389](#)).
- b. Certification of Counsel Regarding Motion for (I) an Order (A) Approving Bid Procedures for the Sale of the Debtors Brand Assets; (B) Approving Certain Bid Protections in Connection with the Debtors Entry into Any Potential Stalking Horse Agreements; (C) Scheduling the Auction and Sale Hearing; (D) Approving the Form and Manner of Notice Thereof; and (E) Granting Related Relief; and (II) An Order or Orders (A) Approving the Sale of the Debtors Brand Assets Free and Clear Of All Encumbrances; and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases [Filed October 16, 2023] (Docket No. [544](#)).

**Status:** The matter is resolved.

## **MATTERS GOING FORWARD**

5. Application of the Official Committee of Unsecured Creditors for Entry of an Order (I) Authorizing the Retention and Employment of Jefferies LLC as Investment Banker Pursuant to 11 U.S.C. §§ 328(a) and 1103(a), Effective as of September 1, 2023 and (II) Waiving Certain Time-Keeping Requirements [Filed September 20, 2023] (Docket No. [334](#)).

**Response Deadline:** October 4, 2023.

### **Responses Received:**

- a. Debtor's Objection to Application of the Official Committee of Unsecured Creditors for Entry of an Order (I) Authorizing the Retention and Employment of Jefferies LLC as Investment Banker Pursuant to 11 U.S.C. §§ 328(a) and 1103(a), Effective as of September 1, 2023 and (II) Waiving Certain Time-Keeping Requirements [Filed October 4, 2023] (Docket No. [446](#)).
- b. Joinder of Euagore, LLC and the Foris Prepetition Secured Lenders to the Debtor's Objection to Application of the Official Committee of Unsecured Creditors for Entry of an Order (I) Authorizing the Retention and Employment of Jefferies LLC as Investment Banker Pursuant to 11 U.S.C. §§ 328(a) and 1103(a), Effective as of September 1, 2023 and (II) Waiving Certain Time-Keeping Requirements [Filed October 4, 2023] (Docket No. [450](#)).
- c. Ad Hoc Noteholder Group's Statement in Support of the Application of the Official Committee of Unsecured Creditors for Entry of an Order (I) Authorizing the Retention and Employment of Jefferies LLC as Investment Banker Pursuant to 11 U.S.C. §§ 328(a) and 1103(a) [Filed October 13, 2023] (Docket No. [529](#)).
- d. Statement of Ad Hoc Cross-Holder Group in Support of the Official Committee of Unsecured Creditors' Application for Entry of an Order (I) Authorizing the Retention and Employment of Jefferies LLC as Investment Banker Pursuant to 11 U.S.C. §§ 328(a) and 1103(a), Effective as of September 1, 2023 and (II) Waiving Certain Time-Keeping Requirements [Filed October 13, 2023] (Docket No. [531](#)).

### **Reply:**

- a. Omnibus Reply of the Official Committee of Unsecured Creditors to (A) Objection of the Debtors and (B) Objection of the DIP Lender and Foris Prepetition Lenders to the Committee's Application to Retain Jefferies LLC as Investment Banker [Filed October 13, 2023] (Docket No. [533](#)).

### **Related Documents:**

- a. First Supplemental Declaration of Leon Szlezinger in Support of the Application of the Official Committee of Unsecured Creditors for Entry of an Order (I) Authorizing the Retention and Employment of Jefferies LLC as Investment Banker Pursuant to 11 U.S.C. §§ 328(a) and 1103(a),

Effective as of September 1, 2023 and (II) Waiving Certain Time-Keeping Requirements [Filed September 30, 2023] (Docket No. [405](#)).

- b. Notice of Filing of Revised Order Regarding Application of the Official Committee of Unsecured Creditors for Entry of an Order (I) Authorizing the Retention and Employment of Jefferies LLC as Investment Banker Pursuant to 11 U.S.C. §§ 328(a) and 1103(a), Effective as of September 1, 2023 and (II) Waiving Certain Time-Keeping Requirements [Filed September 30, 2023] (Docket No. [406](#)).
- c. Second Supplemental Declaration of Leon Szlezinger in Support of the Application of the Official Committee of Unsecured Creditors for Entry of an Order (I) Authorizing the Retention and Employment of Jefferies LLC as Investment Banker Pursuant to 11 U.S.C. §§ 328(a) and 1103(a), Effective as of September 1, 2023 and (II) Waiving Certain Time-Keeping Requirements [Filed October 10, 2023] (Docket No. [496](#)).
- d. Notice of Filing of Amended Second Supplemental Declaration of Leon Szlezinger in Support of the Application of the Official Committee of Unsecured Creditors for Entry of an Order (I) Authorizing the Retention and Employment of Jefferies LLC as Investment Banker Pursuant to 11 U.S.C. §§ 328(a) and 1103(a), Effective as of September 1, 2023 and (II) Waiving Certain Time-Keeping Requirements [Filed October 10, 2023] (Docket No. [503](#)).
- e. Debtor's Motion to Continue Hearing the Application of the Official Committee of Unsecured Creditors for Entry of an Order (I) Authorizing the Retention and Employment of Jefferies LLC as Investment Banker Pursuant to 11 U.S.C. §§ 328(a) and 1103(a) [Filed October 13, 2023] (Docket No. [534](#)).
- f. Motion to Shorten Notice Period and Schedule Zoom Hearing with Respect to the Debtors' Motion to Continue Hearing on Application of the Official Committee of Unsecured Creditors for Entry of an Order (I) Authorizing the Retention and Employment of Jefferies LLC as Investment Banker Pursuant to 11 U.S.C. §§ 328(a) and 1103(a) [Filed October 13, 2023] (Docket No. [535](#)).
- g. [SIGNED] Order Shortening Notice Period and Scheduling Zoom Hearing with Respect to the Debtors' Motion to Continue Hearing on the Application of the Official Committee of Unsecured Creditors for Entry of an Order (I) Authorizing the Retention and Employment of Jefferies LLC as Investment Banker Pursuant to 11 U.S.C. §§ 328(a) and 1103(a) [Filed October 13, 2023] (Docket No. [538](#)).

**Status:** A hearing requesting continuance of this matter is scheduled for October 16, 2023 at 2:00 p.m. (prevailing Eastern Time).

- 6. Motion of Givaudan SA Pursuant to Bankruptcy Rule 2004 and Local Rule 2004-1 for an Order Directing the Production of Documents [Filed October 4, 2023] (Docket No. [448](#)).

**Response Deadline:** October 11, 2023.

**Responses Received:**

- a. Statement in Connection with the Motion of Givaudan SA for an Order Directing the Production of Documents [Filed October 11, 2023] (Docket No. [515](#)).

**Related Documents:** None.

**Status:** The matter will go forward.

7. [SEALED] Motion of DSM-Firmenich to Compel Debtors' Compliance with Section 365(n)(4) of the Bankruptcy Code [Filed October 4, 2023] (Docket No. 465).
  - a. [REDACTED] Motion of DSM-Firmenich to Compel Debtors' Compliance with Section 365(n)(4) of the Bankruptcy Code [Filed October 4, 2023] (Docket No. [466](#)).

**Response Deadline:** October 11, 2023.

**Responses Received:**

- a. Debtors' Objection to Motion of DSM-Firmenich to Compel Debtors' Compliance with Section 365(n)(4) of the Bankruptcy Code [Filed October 13, 2023] (Docket No. [532](#)).

**Related Documents:**

- a. Certificate of Service [Filed October 5, 2023] (Docket No. [472](#)).

**Status:** The matter will go forward.

8. Motion of DSM-Firmenich for Entry of an Order Authorizing DSM-Firmenich to File Under Seal Certain Information Contained in the Motion of DSM-Firmenich to Compel Debtors' Compliance with Section 365(n)(4) of the Bankruptcy Code [Filed October 6, 2023] (Docket No. [479](#)).

**Response Deadline:** October 11, 2023.

**Responses Received:** None.

**Related Documents:**

- a. Re-Notice of Motion [Filed October 6, 2023] (Docket No. [488](#)).
- b. Certificate of Service [Filed October 6, 2023] (Docket No. [489](#)).

**Status:** The matter will go forward.

9. Debtors' Motion for Entry of an Order Authorizing Debtors to File Under Seal Certain Information Related to Debtors' Objection to Motion of DSM-Firmenich to Compel Debtors' Compliance with Section 365(n)(4) of the Bankruptcy Code [Filed October 13, 2023] (Docket No. [537](#)).

**Response Deadline:** October 18, 2023 at 2:00 p.m. (ET).

**Responses Received:** None.

**Related Documents:** None.

**Status:** The matter will go forward.

Dated: October 16, 2023

**PACHULSKI STANG ZIEHL & JONES LLP**

*/s/ James E. O'Neill*

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